UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICHARD HARBUS,   :
                                                                       :
                              Plaintiff,   :   21-CV-7130 (JMF)
                                                                       :
                -v-   :   ORDER SCHEDULING
                                                                       :   DEFAULT JUDGMENT
NEW YORK ENIGENEERS P.C.,   :   BRIEFING AND SHOW
                                                                       :   CAUSE HEARING
                              Defendant.   :
                                                                       :
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JESSE M. FURMAN, United States District Judge:

      It has come to the Court's attention that, contrary to the Court's Order at ECF No. 10, Plaintiff has not actually moved for default judgment yet.[1] Accordingly, it is hereby ORDERED that any motion for default judgment shall be filed, in accordance with the Court's Individual Rules and Practices for Civil Cases (available at https://nysd.uscourts.gov/hon-jesse-m-furman), no later than **December 6, 2021**. Defendant shall file any opposition to the motion for default judgment no later than **December 13, 2021.**

      If a motion for default judgment is filed, it is further ORDERED that Defendant appear and show cause before this Court, Courtroom 1105 of the Thurgood Marshall Courthouse, 40 Centre Street, New York, New York, on **December 21, 2021**, at **4:00 p.m.**, why an order should not be issued granting a default judgment against Defendant. No later than Thursday the week prior to that date, Plaintiff must file the proposed default judgment order electronically, using the ECF Filing Event "Proposed Default Judgment," for the Clerk's approval.

      It is further ORDERED that Plaintiff serve Defendant via overnight courier (1) with a copy of this Order within **one business day of the date of this Order**; and (2) with a copy of the motion for default judgment and all supporting papers within **one business day** of the date of any such motion. In each case, within **two business days of service,** Plaintiff must file proof of such service on the docket.

      The Clerk of Court is ordered to terminate ECF No. 10 and, if appropriate, issue a certificate of default.

      SO ORDERED.

Dated: November 22, 2021
      New York, New York
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      JESSE M. FURMAN
      United States District Judge

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[1]   The Court's error was the result of the fact that Plaintiff erroneously used the default judgment motion entry on ECF to ask the Clerk of Court to issue a certificate of default. Plaintiff should take care to use the proper ECF event going forward.